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UNITED STATES OF AMERICA

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

AUG 28 2002
at _____ o'clock and _____ min. _____ M.
WALTER A. H. CHEN CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

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|---------------------------|---|-----------------------------|--------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. | CRO 2 00363 |
| |) | | |
| Plaintiff, |) | INDICTMENT | |
| |) | | |
| vs. |) | Count 1: 18 U.S.C. § 922(k) | |
| |) | Count 2: 18 U.S.C. § 922(l) | |
| JOHN KADOTA, |) | Count 3: 18 U.S.C. § | |
| |) | 922(o) (1) | |
| Defendant. |) | Counts 4 and 5: 18 U.S.C. § | |
| |) | 545 | |
| |) | | |

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INDICTMENT

COUNT 1

(18 U.S.C. §§ 922(k), 924(a) (1) (B))

The Grand Jury charges that:

On or about August 24, 2002, in the District of Hawaii, the defendant JOHN KADOTA did knowingly receive in foreign commerce, from Germany to the United States, a firearm, to wit, a Steyr AUG Model A2 .223 caliber carbine receiver, from which the manufacturer's serial number had been obliterated.

All in violation of Title 18, United States Code, Sections 922(k) and 924(a) (1) (B).

COUNT 2

(18 U.S.C. §§ 922(1), 924(a)(1)(C))

The Grand Jury further charges that:

On or about August 24, 2002, in the District of Hawaii, the defendant JOHN KADOTA knowingly and without authorization by the Secretary of the Treasury as provided in Title 18, United States Code, Section 925(d), did receive a firearm imported and brought into the United States, to wit, a Steyr AUG Model A2 .223 caliber carbine receiver.

All in violation of Title 18, United States Code, Sections 922(1) and 924(a)(1)(C).

COUNT 3

(18 U.S.C. §§ 922(o) and 924(a)(2))

The Grand Jury further charges that:

On or about August 24, 2002, in the District of Hawaii, the defendant JOHN KADOTA did knowingly possess a machinegun as that term is defined by Title 18, United States Code, Section 921(a)(23) and Title 26, United States Code, Section 5845(b), to wit, a combination of parts from which a machinegun could be assembled including: (1) a Steyr AUG Model A2 machine gun trigger group, stock group, and partial bolt assembly; (2) a Steyr AUG Model A2 .223 caliber receiver, serial number obliterated; and (3) a Steyr AUG Model A1 .223 caliber firearm, serial number 906SA355.

All in violation of Title 18, United States Code, Sections 922(o) and 924(a)(2).

COUNT 4

(18 U.S.C. § 545)

The Grand Jury further charges that:

On or about August 24, 2002, in the District of Hawaii, the defendant JOHN KADOTA did knowingly receive merchandise, to wit, a Steyr AUG Model A2 .223 caliber carbine receiver, serial number removed, knowing the same to have been imported and brought into the United States contrary to law.

All in violation of Title 18, United States Code, Section 545.

COUNT 5

(18 U.S.C. § 545)

The Grand Jury further charges that:

On or about August 24, 2002, in the District of Hawaii, the defendant JOHN KADOTA did knowingly receive merchandise, to wit, a Steyr AUG Model A2 machinegun trigger group knowing the same to have been imported and brought into the United States contrary to law.

All in violation of Title 18, United States Code, Section 545.

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DATED: August 28, 2002, at Honolulu, Hawaii.

A TRUE BILL

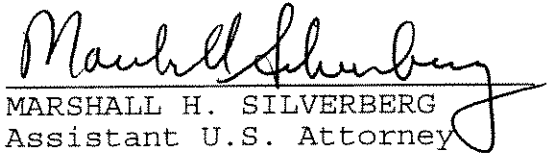
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FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

A handwritten signature in cursive script, appearing to read "Ronald G. Johnson", written over a horizontal line.

RONALD G. JOHNSON
Assistant U.S. Attorney

A handwritten signature in cursive script, appearing to read "Marshall H. Silverberg", written over a horizontal line.

MARSHALL H. SILVERBERG
Assistant U.S. Attorney

UNITED STATES v. JOHN KADOTA
Cr. No. (Indictment)